

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. 1:21-cr-43

JEREMY TYLER SWINK,

HON. ROBERT J. JONKER
Chief United States District Judge

Defendant.

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PROTECTIVE ORDER FOR DISCOVERY MATERIALS

For the reasons stated in the Joint Motion for a Rule 16(d) Protective Order, it is hereby ORDERED, pursuant to Rule 16(d) of the Federal Rules of Criminal Procedure, that:

1. Any and all discovery materials provided in this case by the government to the defendant (“Discovery Materials”) are to be used by the defendant and his counsel solely for the preparation of the defense. No disclosure of these Discovery Materials is authorized except as necessary to the preparation of the defense in this case, and such determination of necessity is to be made by counsel for the defendant, not by the defendant himself. This limitation applies to all Discovery Materials provided by the government in this criminal action, irrespective of when they were produced.

2. Disclosure of Discovery Materials for purposes related to defense of the criminal case is permitted to: (a) members of the defense team, consisting of counsel, co-counsel, paralegals, investigators, litigation support personnel, the defendant, and secretarial staff; (b) experts or consultants used to assist in preparation of the defense; (c) potential witnesses who are deemed necessary by the defense team in connection with this case; and (d) this Court.

3. Counsel for the defendant shall not allow her client, or any other potential witness, to retain un-redacted copies of the Discovery Materials containing personally identifiable information (“PII”), absent further order by this Court. The defendant may access the Discovery Materials remotely through counsel, using software that restricts, to the degree technologically feasible, the ability to download, print, or otherwise disseminate documents. Irrespective of the capabilities of the review software, the defendant is prohibited from printing or otherwise disseminating any Discovery Materials.

4. Any discovery provided by the defendant to the government in this case (“Defense Materials”) are to be used by the government solely for the prosecution of this matter. No disclosure of these Defense Materials is authorized except as necessary to the preparation of the prosecution in this case. Disclosure of Defense Materials for purposes related to the prosecution of the criminal case is permitted to: (a) members of the prosecution team, consisting of counsel, co-counsel, paralegals, investigators, litigation support personnel, secretarial staff, and other government personnel; (b) experts or consultants used to assist in preparation of the prosecution; (c) potential witnesses who are deemed necessary by the prosecution team in connection with this case; and (d) this Court.

SO ORDERED, this ____ day of April, 2021.

HON. ROBERT J. JONKER
Chief United States District Judge